

January 18, 2006

Honorable Magistrate Judge Judith Dein
United States District Court
for the District of Massachusetts
One Courthouse Way
Boston, MA 02210

***Re: Tricore, Inc. v. Safeco Insurance Company of America and
R.P. Iannuccillo & Sons Construction Co.
C.A. No.: 04-12393(JGD)***

Dear Judge Dein:

Tomorrow I will file and forward a courtesy copy of the Motion to Amend Crossclaim by Defendant and Crossclaim Plaintiff, R.P. Iannuccillo & Sons Construction Co. in connection with the above-captioned matter. This motion will be filed so that RPI may more specifically identify the full nature and extent of its bad faith claims against Safeco pertaining to both the payment and performance obligations on the project as discussed at the January 5, 2006 status conference.

The Opposition filed by RPI, together with supporting affidavits, to the Motion for Summary Judgment filed by Safeco (payment) references the bad faith conduct of Safeco (performance). RPI submits that the actions of Safeco on each bond obligation cannot be distinguished as they relate to the Tricore settlement.

RPI requests that the January 24, 2006 hearing on the Safeco (payment) Motion for Summary Judgment be continued until after RPI's Motion to Amend its Crossclaim is considered by the court. RPI suggests that it would be more practical and economical for all claims between the parties to be in one court and one civil action.

Sincerely,

/s/ David M. Campbell

David M. Campbell

DMC:amm

Enclosures

cc: *All Counsel of Record (via e-mail)*